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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,394	04/05/2006	Harald Schneider	3588	1514
278	7590	12/31/2008		
MICHAEL J. STRIKER 103 EAST NECK ROAD HUNTINGTON, NY 11743				
EXAMINER				
BOCHNA, DAVID				
ART UNIT		PAPER NUMBER		
3679				
MAIL DATE		DELIVERY MODE		
12/31/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/563,394

Applicant(s)

SCHNEIDER ET AL.

Examiner

David E. Bochna

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-56 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 42-56 is/are allowed.
6) ☒ Claim(s) 32-39 is/are rejected.
7) ☒ Claim(s) 40 and 41 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 32-34 and 37-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Day '100.

In regard to claim 32, Day discloses a screw connection element 1, comprising an outer threaded portion 13; sealing means 15 disposed in threads of said outer threaded portion; a protective covering 16 surrounding said outer threaded portion for retaining said sealing means in said threads and composed of a flexible material; a thread situated at a front end of said outer threaded portion and free of said sealing means, wherein said protective covering 16 is connected in a form-fitting manner to said thread in an axial direction of said outer threaded portion.

In regard to claim 33, wherein said form-fitting connection between said protective covering 16 and said thread is configured as a deformed portion of said protective covering at the front end such that it enters into said thread.

In regard to claim 34, wherein said protective covering 16 is configured as an immersion-applied or a spraying-applied protective covering on said outer threaded portion.

In regard to claim 37, wherein said sealing means 15 abuts directly on the threads 13 of said outer threaded portion, and said protective covering 16 has an inner diameter which corresponds substantially to an outer diameter of said outer threaded portion 13.

In regard to claim 38, wherein said sealing means 15 is composed of a material selected from the group consisting of a thread-shaped material.

3. Claims 32 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Elmer '960.

In regard to claim 32, Elmer discloses a screw connection element 2, comprising an outer threaded portion 3; sealing means 6 disposed in threads of said outer threaded portion; a protective covering 4 surrounding said outer threaded portion for retaining said sealing means in said threads and composed of a flexible material; a thread 3 situated at a front end of said outer threaded portion and free of said sealing means 6, wherein said protective covering is connected in a form-fitting manner to said thread in an axial direction of said outer threaded portion.

In regard to claim 35, wherein said protective covering 4 includes a sheath which is configured as a deep-drawn sheath and screwed onto said outer threaded portion (via 9).

4. Claims 32 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Lock et al. '493.

In regard to claim 32, Lock et al. discloses a screw connection element 14, comprising an outer threaded portion; sealing means 16 disposed in threads of said outer threaded portion; a protective covering 17 surrounding said outer threaded portion for retaining said sealing means in said threads and composed of a flexible material; a thread situated at a front end of said outer threaded portion and free of said sealing means, wherein said protective covering 17 is connected in a form-fitting manner to said thread in an axial direction of said outer threaded portion.

In regard to claim 36, wherein said form fitting connection is configured as a compression-produced form-fitting connection (wrapping tape around the threads).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Elmer '960 in view of Casey et al. '707. Elmer discloses the use of fibers to create a sealing means, but does not specifically disclose that the fibers are hemp fibers. Casey et al. teaches that is common and well known in the art to use hemp fibers to seal threaded pipe joints. Therefore it would have been obvious to one of ordinary skill in the art to modify the fibers of Elmer to include hemp fibers.

Allowable Subject Matter

7. Claims 40-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. Claims 42-56 are allowed.

Response to Arguments

9. Applicant's arguments with respect to claims 32-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David E. Bochna/
Primary Examiner, Art Unit 3679